

Residential Substance Abuse Treatment for State Prisoners Program

FY 2003 Program Guidance

About the Residential Substance Abuse Treatment Program

The Residential Substance Abuse Treatment Formula Grant Program (RSAT) assists states and local governments in developing and implementing substance abuse treatment programs in state and local correctional and detention facilities. The RSAT Program also assists states and local governments in creating and maintaining community-based aftercare services for offenders.

Eligibility

States may apply for formula grant awards under this program. *State* means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands. According to the statute (42 U.S.C. § 3796ff-1), BJA must award these grants to the state office that is designated to administer the Edward Byrne Memorial Formula Grant Program. The state office may award subgrants to state agencies, units of local government, and Native American tribes.

State Allocations and Match Requirement

Each participating state is allocated a base award of 0.4 percent of the total funds that are available for the program. BJA will allocate the total funds remaining to each participating state in the same ratio of each state's prison population to the total prison population of all existing states.

Awards are made in the fiscal year of the appropriation and may be expended during the following 3 years (for a total of 4 years). The federal share of a grant-funded project may not exceed 75 percent of the project's total cost. The 25 percent matching funds may be in the form of cash or in-kind contributions (a change from previous years).

Program Requirements

Residential Substance Abuse Treatment Formula Grant funds may be used to implement three types of programs. At least 10 percent of the total state allocation for FY 2003 shall be made available to local correctional and detention facilities (provided such facilities exist) for either residential substance abuse treatment programs or jail-based substance abuse treatment programs as defined below.

Residential Substance Abuse Treatment

Residential substance abuse treatment programs provide individual and group treatment activities for offenders in residential facilities that are operated by state and local correctional agencies.

These programs must (as required by 42 U.S.C. § 3796ff):

- ! Last between 6 and 12 months.
- ! Be provided in residential treatment facilities set apart from the general correctional population. Set apart means a completely separate facility or a dedicated housing unit within a facility

- exclusively for use by program participants.
- ! Focus on the substance abuse problems of the inmate.
- ! Develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance and related problems.
- ! Implement or continue to require urinalysis and/or other proven reliable forms of drug and alcohol testing for those enrolled in the residential substance-abuse treatment program and post program while they remain in the custody of the state or local government.

Preferably, participation in the residential program should be limited to inmates who have 6 to 12 months remaining in their term of confinement so that they can be released from prison after completing the treatment program, rather than returning to the general prison population.

Jail-Based Treatment Programs

Jail-based substance abuse programs provide individual and group treatment activities for offenders in jails and local correctional facilities.

These programs must:

- ! Last at least 3 months.
- ! Make every effort to set apart the treatment population from the general correctional population.
- ! Focus on the substance abuse problems of the inmate.
- ! Develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance and related problems.
- ! Be science-based and effective.

Aftercare

States are required to give preference to subgrant applicants who will provide aftercare services to program participants. Aftercare services must involve coordination between the correctional treatment program and other human service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, self-help, and peer group programs that may aid in rehabilitation.

A state may use amounts received for aftercare if the chief executive officer of the state certifies that the state is providing, and will continue to provide, an adequate level of residential treatment services. To qualify as an aftercare program, the head of the substance abuse treatment program must work in conjunction with state and local authorities and organizations involved in substance abuse treatment to assist in the placement of program participants into community substance abuse treatment facilities upon release.

Treatment After Release

A state may use amounts received for the purpose of providing treatment to offenders for a period not to exceed one year after release. Up to 10% of the total award may be used for treatment of parolees.

State Office Responsibilities

In administering the RSAT Program, the state office is responsible for:

- Ensuring coordination between this program and state and local substance abuse treatment programs.
- Coordinating with substance abuse programs and the State Alcohol and Drug Abuse Agency in the design and implementation of treatment programs.
- Preparing the application for formula grant funds.
- Describing (in the application narrative) how grant funds will be coordinated with federal assistance for substance abuse treatment and aftercare services currently provided by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration.
- Administering grant funds, which includes:
 - S Establishing funding priorities.
 - S Receiving, accounting for, and disbursing funds.
 - S Reviewing, awarding, monitoring, and evaluating subawards.
 - S Preparing progress, financial, and evaluation reports.
 - S Complying with audit requirements.
 - S Providing guidance and technical assistance to subgrantees.

The state may use a portion of the formula grant funds to administer the program. Because the purpose of the funds is to increase the availability of treatment services, the amount of funds used for administrative purposes should be modest and must be justified. Federal grant funds used for administration must meet all requisite match requirements.

Civil Rights Compliance

All recipients of federal grant funds must comply with nondiscrimination requirements contained in federal laws. If a court or administrative agency makes a finding of discrimination against a recipient of funds on grounds of race, color, religion, national origin, gender, disability, or age after a due process hearing, the recipient must forward a copy of the finding to the Office of Civil Rights of the Office of Justice Programs. All applicants should consult the Assurances section of the application to understand the applicable legal and administrative requirements.

National Environmental Policy Act (NEPA)

All actions significantly affecting the quality of the environment are subject to the provisions of NEPA and other related federal environmental laws. Most RSAT projects will not be affected by NEPA. If, however, a project involves minor renovation, construction, or any other activity that may have an impact on the environment or change the use or function of a facility, the grantee should provide a full

description of the proposed project to its BJA program manager prior to project implementation. A determination regarding whether any further action is necessary will be made by BJA.

Supplanting Prohibition

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) nonfederal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audits. Violations can result in a range of penalties, including suspension of future RSAT funds, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties.

Restriction on Use of Funds

Grant funds shall not be used for land acquisition or construction projects.

Faith-Based and Community Organizations

Religious organizations that may compete for or receive subawards under this grant program must be treated on an equal basis as other non-religious organizations in all grant determinations and administration. No person or organization eligible to apply under this grant program may be discriminated against on the basis of religion, religious name, or religious composition of its board or staff working in the organization. Further, grant recipients will not be discriminated against because they are primarily religious, and they will not be required to remove religious provisions in their chartering documents, nor are they required to remove religious names, icons, or symbols from their buildings. In addition, the ultimate beneficiaries of programs administered by any grantee will not be subject to religious coercion or be discriminated against on the basis of their religion.

Purchase of American-Made Equipment and Products

It is the sense of Congress, as conveyed through the FY 2003 Omnibus Appropriations Act, that to the greatest extent practicable, all equipment and products purchased with grant funds should be American made.

Suspension or Termination of Funding

The Office of Justice Programs may suspend funding in whole or in part, terminate funding, or impose other sanctions on a recipient for any of the following reasons:

- Failing to comply substantially with the requirements or statutory objectives of the Residential Substance Abuse Treatment for State Prisoners Program Guidelines, 42 U.S.C. § 3799ff.
- Failing to make satisfactory progress toward the goals or strategies set forth in this application.
- Failing to adhere to the requirements in the agreement, standard conditions, or special conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.

- Filing a false certification in this application or another report or document.
- Failing to comply substantially with any other applicable federal statute, regulation, or guideline. Before imposing sanctions, BJA will provide reasonable notice to the recipient of its intent to impose sanctions and will attempt informally to resolve the problem.

Hearing and appeal procedures will follow those in the U.S. Department of Justice's regulations described in 28 C.F.R., part 18.

Application Submission

All applications must be submitted online through the OJP Grants Management System (GMS). Following are instructions for entering the system and other important information you will need to complete the application. Generally, the system is self-explanatory.

Step One: Go to <https://grants.ojp.usdoj.gov> to access GMS.

Step Two: Follow the online instructions by either registering for a user name or signing onto GMS if you already have a user id and password.

Step Three: After reaching the Grants Management System Home Page, click "Funding Opportunities" on the left button bar.

Step Four: For Program Office, select "Bureau of Justice Assistance" from the drop down menu. For Program Name, select FY 2003 Residential Substance Treatment Program, then click Search.

Step Five: Click on "Apply Online" and continue following the online instructions.

Document Uploads: When you apply online, you will be asked to upload three documents to the

system. The system will not allow you to complete and submit your application until you have uploaded the following three files (You may use whatever software you would normally use to prepare such documents, save them, and then upload. If you experience problems uploading a file saved to a network directory, this may be a normal result of a firewall around your agency's systems. To solve this issue, save the files to a diskette or your hard drive and try again):

1. Program narrative. Submit a program narrative describing the proposed program activities for Fiscal Year (FY) 2003 and changes since the previous application. The program narrative should include the following:
 - ! The goals of the program.
 - ! The implementation process.
 - ! Timetable for implementation.
 - ! Information about priorities and/or projects to be funded, including a description of how

the preference for programs with aftercare services will be implemented.

- ! A description of any changes in the state's law or policy requiring substance abuse testing of individuals in correctional/residential substance abuse treatment programs, including those released who remain in the custody of the state.
 - ! The number (or estimate) of offenders who were tested during the last calendar year.
 - ! A description of how the state will coordinate the design and implementation of the program at the state and local levels and how grant funds will be coordinated with federal assistance for substance abuse treatment and aftercare services currently provided by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration.
 - ! A brief description of any federal grant awards from the U.S. Department of Justice or other federal agencies that will also support RSAT-funded efforts.
2. FY 2002 Annual Report.
 3. Narrative outlining the proposed use of the 10% funds for aftercare and/or use of administrative funds.

Single Point of Contact Review

Executive Order 12372 requires applicants for federal formula grants and subgrants to submit a copy of the application to the state Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the state. Applicants must contact their state SPOC to determine if the program has been selected for state review. The date that the application was sent to the SPOC or the reason such submission is not required should be entered in block 17 on the Application for Federal Assistance, SF 424.

Performance Measures

Grantees are required to measure and report project performance information on an annual basis. Beginning in FY 2003, this requirement will be combined with the annual report requirement. Grantees will submit a single report entitled Annual Performance Report (see appendix B).

Reporting Requirements

Financial Status Report

Financial status reports (SF 269-A) are due quarterly on the 45th day following the end of each calendar quarter. A report must be submitted every quarter the award is active even if there has been no financial activity during the reporting period. The final report is due 120 days after the end date of the award. Copies of this form are included in the initial award package. Future awards and fund drawdowns may be withheld if the progress and financial status reports are delinquent.

Single Audit Report

Recipients who expend \$300,000 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit report is currently due to the single audit authority not later than 9 months after the end of the recipient's fiscal year. Audit reports for any fiscal years that began prior to July 1, 1998 are due 13 months after the end of the recipient's fiscal year.

Project Report

This report provides information on subgrants or on projects if more than one subgrant supports a single project. Following the award of a subgrant, the state administrative office should submit a separate Project Report Spreadsheet with data elements for each *project* implemented under the subgrant(s). The use of administrative funds must be treated as an individual project. This spreadsheet cannot be completed and submitted online. It must be downloaded and e-mailed to the BJA program manager.

Annual Report

Grant recipients are required to submit a 2-page report once annually (see Annual Performance Report in appendix B of this document). The reporting period reflects the federal fiscal year (10/1-9/30) and is due March 1 of the following calendar year (e.g., the annual report for FY 2002 was due March 1, 2003). This report replaces the semi-annual progress report, annual project-level evaluation report, and program-level report summaries required in previous grant years.

Subgrantee Reports

States are responsible for the monitoring and the fiscal oversight of subgrant projects and shall establish regular progress and financial reporting requirements for subgrantees. These reports should be retained by the state office and made available for review by BJA or its authorized representatives during monitoring visits, inspections, or audits.

NOTE: Reporting forms will be available in the online version of this document.

About OJP

The Office of Justice Programs (OJP), U.S. Department of Justice, was created in 1984 to provide federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. OJP carries out this mission by forming partnerships with other federal, state, and local agencies, as well as national and community-based organizations. OJP is dedicated to comprehensive approaches that empower communities to address crime, break the cycle of substance abuse and crime, combat family violence, address youth crime, hold offenders accountable, protect and support crime victims, enhance law enforcement initiatives, respond to domestic terrorism, and support advancements in adjudication. OJP also works to reduce crime in Indian Country, enhance technology's use within the criminal and juvenile justice systems, and support state and local efforts through technical assistance and training.

About BJA

The Bureau of Justice Assistance (BJA), a component of the Office of Justice Programs, U.S. Department of Justice, supports innovative programs that strengthen the nation's criminal justice system. Its primary mission is to provide leadership and a range of assistance to local criminal justice strategies to make America's communities safer. BJA accomplishes this mission by providing funding, training, technical assistance, and information to state and community criminal justice programs and by emphasizing the coordination of federal, state, and local efforts. BJA's specific goals are to help communities reduce and prevent crime, violence, and drug abuse and to improve the functioning of the criminal justice system.

For general information about BJA programs, training, and technical assistance, contact the BJA Clearinghouse at 1-800-688-4252 or visit the BJA home page at www.ojp.usdoj.gov/BJA.